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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,669	02/18/2004	Wen-Ching Hou	3624-0156P	8540
2292	7590	07/14/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			HUNTER, ALVIN A	
			ART UNIT	PAPER NUMBER
			3711	

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

YW

Office Action Summary	Application No. 10/779,669	Applicant(s) HOU ET AL.	
	Examiner Alvin A. Hunter	Art Unit 3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/18/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the limitation "the stepped portion of the recess" in lines 2 and 3.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 7, 10, 13-16, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi (USPN 4824110).

Regarding claim 1, Kobayashi discloses a golf club head, comprising a body 13 including a cavity 10 in a rear side thereof, a striking plate 13a provided on a front side of the body, and a vibration-absorbing plate 16 fixed in the cavity of the body and not in contact with the striking plate (See Figure 3).

Regarding claim 2, Kobayashi discloses the cavity of the body includes a stepped portion for supporting and fixing the vibration-absorbing plate (See Figure 3).

Regarding claim 3, Kobayashi discloses the striking plate is integrally formed with the body (See Figure 3).

Regarding claim 5, Kobayashi discloses the vibration-absorbing plate includes a perimeter wall extending from a side thereof, the perimeter wall being engaged with an inner perimeter delimiting the cavity (See Figure 1).

Regarding claim 7, Kobayashi discloses the perimeter wall of the vibration-absorbing plate abuts against an inner side of the stepped portion of the recess of the body (See Figure 3).

Regarding claim 10, Kobayashi discloses the body includes a compartment in a bottom thereof for receiving a weight member (See Figure 3).

Regarding claim 13, Kobayashi discloses the vibration-absorbing plate is one of a light metal plate and a light alloy plate (See Column 2, lines 44 through 52).

Regarding claim 14, Kobayashi discloses the light alloy plate is formed from an alloy of at least one of aluminum and titanium (See Column 2, lines 44 through 52).

Regarding claim 15, Kobayashi discloses the light alloy plate is formed from an alloy of at least one of aluminum and titanium (See Column 2, lines 44 through 52).

Regarding claim 16, applicant claims a product by process. It is submitted being that the final product of the vibration-absorbing plate is made of titanium, the method of making the plate is not critical.

Regarding claim 18, Kobayashi discloses the golf club head is an iron club head (See Figure 1).

3. Claims 1-3, 5, 7, 9, 10, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hsu et al. (USPN 5899821).

Regarding claim 1, Hsu et al. discloses a golf club head, comprising a body 1 including a cavity 3 in a rear side thereof, a striking plate 11 provided on a front side of the body, and a vibration-absorbing plate 2 fixed in the cavity of the body and not in contact with the striking plate (See Figure 3).

Regarding claim 2, Hsu et al. discloses the cavity of the body includes a stepped portion for supporting and fixing the vibration-absorbing plate (See Figure 3).

Regarding claim 3, Hsu et al. discloses the striking plate is integrally formed with the body (See Figure 3).

Regarding claim 5, Hsu et al. discloses the vibration-absorbing plate includes a perimeter wall extending from a side thereof, the perimeter wall being engaged with an inner perimeter delimiting the cavity (See Figure 1).

Regarding claim 7, Hsu et al. discloses the perimeter wall of the vibration-absorbing plate abuts against an inner side of the stepped portion of the recess of the body (See Figure 3).

Regarding claim 9, Hsu et al. discloses the body having an extension extending rearward from the bottom (See Figure 3).

Regarding claim 10, Hsu et al. discloses the body includes a compartment in a bottom thereof for receiving a weight member (See Figure 3).

Regarding claim 18, Hsu et al. discloses the golf club head is an iron club head (See Figure 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi (USPN 4824110).

Regarding claim 17, applicant does not disclose why it is critical to make the plate of more than just titanium; therefore, one having ordinary skill in the art would have found the selection of material to be an obvious matter of design choice. The titanium of Kobayashi would perform equally as well because it inherently absorbs vibrations.

5. Claims 4, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi (USPN 4824110) in view of Aizawa et al. (USPN 5547194).

Regarding claim 4, Kobayashi does not disclose a recess in a front side and an aperture that connects the recess to the cavity wherein the recess includes a stepped portion. Aizawa et al. discloses a club head having a recess in a front side and an aperture that connects the recess to the cavity wherein the recess includes a stepped portion (See Figure 3). One having ordinary skill in the art would have found it obvious to modify Kobayashi to have a recess in a front side and an aperture that connects the recess to the cavity wherein the recess includes a stepped portion, as taught by Aizawa et al., in order to attach the striking plate to the body of the club head.

Regarding claim 6, Kobayashi discloses the vibration-absorbing plate includes a perimeter wall extending from a side thereof, the perimeter wall being engaged with an inner perimeter delimiting the cavity (See Figure 1).

Regarding claim 8, Kobayashi discloses the perimeter wall of the vibration-absorbing plate abuts against an inner side of the stepped portion of the recess of the body (See Figure 3).

6. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. (USPN 5899821).

Regarding claim 11 and 12, Hsu et al. discloses the vibration-absorbing plate having a hole 21, but does not disclose the hole in the central portion. Applicant does not disclose why it is critical to have the hole centrally located on the vibration-absorbing plate or having more than one hole; therefore, one having ordinary skill in the art would have found the placement of the hole to be an obvious matter of design choice. The hole of Hsu et al. would perform equally as well because it facilitates atmospheric communication to the cavity.

7. Claims 4, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. (USPN 5899821) in view of Aizawa et al. (USPN 5547194).

Regarding claim 4, Hsu et al. does not disclose a recess in a front side and an aperture that connects the recess to the cavity wherein the recess includes a stepped portion. Aizawa et al. discloses a club head having a recess in a front side and an aperture that connects the recess to the cavity wherein the recess includes a stepped portion (See Figure 3). One having ordinary skill in the art would have found it obvious

to modify Hsu et al. to have a recess in a front side and an aperture that connects the recess to the cavity wherein the recess includes a stepped portion, as taught by Aizawa et al., in order to attach the striking plate to the body of the club head.

Regarding claim 6, Hsu et al. discloses the vibration-absorbing plate includes a perimeter wall extending from a side thereof, the perimeter wall being engaged with an inner perimeter delimiting the cavity (See Figure 1).

Regarding claim 8, Hsu et al. discloses the perimeter wall of the vibration-absorbing plate abuts against an inner side of the stepped portion of the recess of the body (See Figure 3).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin A. Hunter whose telephone number is 703-306-5693. The examiner can normally be reached on Monday through Friday from 7:30AM to 4:00PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Vidovich, can be reached on 703-308-1513. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alvin A. Hunter, Jr.


Sebastiano Passaniti
Primary Examiner